

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

JOUNG SIK LEE,)	Civil No. 06-856-CL
)	
Petitioner,)	ORDER
)	
v.)	
)	
GUY HALL, Superintendent, Two)	
Rivers Correctional Institute)	
)	
Respondent.)	
)	

PANNER, Judge.

On April 1, 2008, Magistrate Judge Clarke issued his Report and Recommendation (R&R) recommending 1) that petitioner Jounng Sik Lee's 28 U.S.C. § 2254 petition be denied based on procedural default and, alternatively, because it fails on the merits, and 2) that petitioner's request for an evidentiary hearing be denied. Petitioner timely filed objections. The matter is now before me for *de novo* review pursuant to 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72(b).

I find no error.

Conclusion

Magistrate Judge Clarke's R&R (docket # 34) is adopted. The petition under 28 U.S.C. § 2254 and the request for an evidentiary hearing are denied.

IT IS SO ORDERED.

DATED this 20th day of June, 2008.

/s/ Owen M. Panner

Owen M. Panner
United States District Judge